

REMARKS

Applicants request further examination and reconsideration in the above application. By entry of the attached amendment, claims 1, 4-6, 8-13, 15, 16, 18-20 are pending. Claims 1, 4, 19 and 20 have been amended. No new matter has been added.

Claims 1, 4, 14, 17, 19 and 20 have been rejected under 35 U.S.C. §112, second paragraph. Applicants respectfully submit that these rejections have been overcome by entry of the present Amendment,. Accordingly, Applicants request that the rejection of the claims under 35 U.S.C. §112 be withdrawn. Claims 1, 4-6 and 8-20 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,048,522 to Petrofsky (reference A) in view of U.S. Patent No. 5,974,342, also to Petrofsky (reference B) and further in view of U.S. Patent No. 5,387,231 to Sporer.

In making the rejection, the Office at paragraph 10 on page 4 states that the Sporer reference teaches an embodiment of electrical stimulation that includes the use of stimulation pads. The Office identifies the pads of Sporer (Col. 6, lines 33-41) as the claimed electric potential therapy apparatus, and the electrodes to be inherently disposed within the pads of Sporer as the claimed electric field generation plate electrode.

Applicants' independent claims recite the feature of the electric field generating plate electrode applying only the negative electric field to a user using the electric potential therapy apparatus. The Sporer patent is directed to an electrotherapy method which uses microcurrent electrotherapy utilizing a combination of specified values for selected parameters to provide a variety of

therapeutic enhancements (See Abstract). As illustrated in Figure 1 of the Sporer patent, current is directly passed between leads 20 and 22 through the arm or muscle 14. The cited portion of the Sporer patent merely describes that the preferred electrical probes used for providing electrical current stimulus to the tissues of the body can be replaced by the use of pads covered with a conductive gel.

As for the references A and B, these also describe methods for applying a current for therapeutic treatment of injured tissues, tendons or muscle areas (see the Abstracts of each reference).

In contrast, in the exemplary embodiments, the claimed electric potential therapy apparatus applies only a negative electric field to the user, and does not apply the electrical current to the user.

Applicants respectfully submit that the combination of applied references does not disclose all of the features recited in Applicants' independent claims. Accordingly, the Office has not made a *prima facie* case of obviousness with respect to the independent claims. Accordingly, the rejection of the independent claims and those that depend therefrom should be withdrawn.

Applicants submit that the pending claims are in condition for allowance and notification to that effect is respectfully requested.

The Examiner is invited to contact the undersigned should she believe that an interview would expedite prosecution, or if he has any questions regarding the above remarks.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

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By:



Martin E. Miller

Registration No. 56022

P.O. Box 1404
Alexandria, VA 22313-1404
703 836 6620